

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number: DOVP-1-0901														
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on May 22, 2008.</p> <p>Signature: <u><i>Susan M. Wanger</i></u></p> <p>Typed or printed name: Susan M. Wanger</p>	<p>In re Application of: CODD, et al</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 2px;">Application Number 10/621,435</td> <td style="width: 40%; padding: 2px;">Filed: July 17, 2003</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For: BICIFADINE FORMULATION</td> </tr> <tr> <td style="padding: 2px;">Art Unit: 1618</td> <td style="padding: 2px;">Examiner: James William ROGERS</td> </tr> </table>		Application Number 10/621,435	Filed: July 17, 2003	For: BICIFADINE FORMULATION		Art Unit: 1618	Examiner: James William ROGERS								
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<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <span style="float: right;">\$ 255.00</span></p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <span style="float: right;">\$ _____</span></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge any deficiency fees which may be required, or credit any overpayment to Deposit Account No. <u>59-1059</u>.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p><b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <table style="width: 100%;"> <tr> <td style="width: 60%;"><input type="checkbox"/> applicant/inventor.</td> <td style="width: 40%; text-align: center;">_____ /s/ Signature</td> </tr> <tr> <td><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.</td> <td style="text-align: center;">_____ Jeffrey J. King</td> </tr> <tr> <td>Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</td> <td style="text-align: center;">_____ Typed or printed name</td> </tr> <tr> <td><input checked="" type="checkbox"/> attorney or agent of record.</td> <td style="text-align: center;">_____ (206) 381-3300</td> </tr> <tr> <td>Registration number <u>38,515</u></td> <td style="text-align: center;">_____ Telephone number</td> </tr> <tr> <td><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a).</td> <td></td> </tr> <tr> <td>Registration number if acting under 37 CFR 1.34(a) _____</td> <td></td> </tr> </table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p>			<input type="checkbox"/> applicant/inventor.	_____ /s/ Signature	<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.	_____ Jeffrey J. King	Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	_____ Typed or printed name	<input checked="" type="checkbox"/> attorney or agent of record.	_____ (206) 381-3300	Registration number <u>38,515</u>	_____ Telephone number	<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a).		Registration number if acting under 37 CFR 1.34(a) _____	
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<p><input checked="" type="checkbox"/> *Total of (1) forms are submitted.</p>																

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.